

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA *ex rel.*
SEAN SOLOMON,

Plaintiffs,

v.

PHIZER INC., BIONTECH SE,
Defendants.

Case No. 23-cv-01104-NC

**ORDER TO SHOW CAUSE
WHY CASE SHOULD NOT BE
DISMISSED FOR LACK OF
LEGAL REPRESENTATION**

Re: ECF 5, 7

This Court orders *pro se* relator Sean Solomon to show cause why this case should not be dismissed for lack of legal representation. The United States declined to intervene in this *qui tam* action under the False Claims Act on August 18, 2023. ECF 5. Solomon seeks to proceed with the action *pro se*. ECF 7. The right to self-representation is a limited one. *See C.E. Pope Equity Tr. v. United States*, 818 F.2d 696, 697 (9th Cir. 1987). *Pro se* litigants may not represent others. *Id.* Though relators may initiate *qui tam* actions, they do so “in the name of the Government.” *Stoner v. Santa Clara Cnty. Off. of Educ.*, 502 F.3d 1116, 1126–27 (9th Cir. 2007) (citing 31 U.S.C. § 3730(b)(1)). Even when the government declines to intervene, it remains the real party in interest. *Id.* Because *pro se* relators, like Solomon, cannot represent others, they must have legal representation to continue with an action on behalf of the government. *See id.*

Because the United States declined, Solomon may not continue litigating this matter without legal representation. Accordingly, this Court ORDERS Solomon to obtain representation in this matter by December 4, 2023, or show cause why this matter should not be dismissed for lack of legal representation.

IT IS SO ORDERED.

Dated: November 20, 2023


NATHANAEL M. COUSINS
United States Magistrate Judge